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Representation and the democratic deficit

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Abstract. In the early years of the Community it was assumed that there was a widespread consensus about the future development of Europe, and that decisions by the Council of Ministers were broadly in line with public opinion. In recent years the growth in the powers and responsibilities of European institutions has been considerable, through the Single European Act and the Maastricht Treaty. The Community is now the world's largest trading group, and one of the three most important players on the world economic scene alongside the USA and Japan. The EU has grown from six to fifteen member states, and further waves of enlargement are on the horizon. Yet many fear that processes of representation and accountability have not kept pace with this expansion, producing a legitimacy crisis (Anderson & Eliassen 1996; Hayward 1995). The key issue addressed throughout this Special Issue is the classic one of political representation: how the preferences of European citizens can be linked to decision making within the European Union.

Introduction

Processes of political representation have to be understood within the context of the constitutional framework of the Union. These reflect a number of fundamental but unresolved controversies: whether the EU should be an *intergovernmental* organisation of sovereign states or the top level of a *federal* European state; how decisions should be made and powers allocated among EU institutions; whether the EU should develop as a wider and looser association or a closer and more integrated unit; and how the people should be represented and the 'democratic deficit' cured. This last issue is particularly critical. The electorate influences the EU through two channels: *indirectly* through their choice of governments in national elections, and *directly* through elections to the European Parliament (see Figure 1).

Indirect channels of representation via national governments

Despite the substantial growth of Union powers, national institutions continue to retain the primary responsibility for ensuring democracy and accountability in the Union (Kirchner 1992; Keohane & Hoffman 1991). The most important law-making body remains the Council of Ministers, essentially an *intergovernmental* negotiating forum representing member states and acting behind

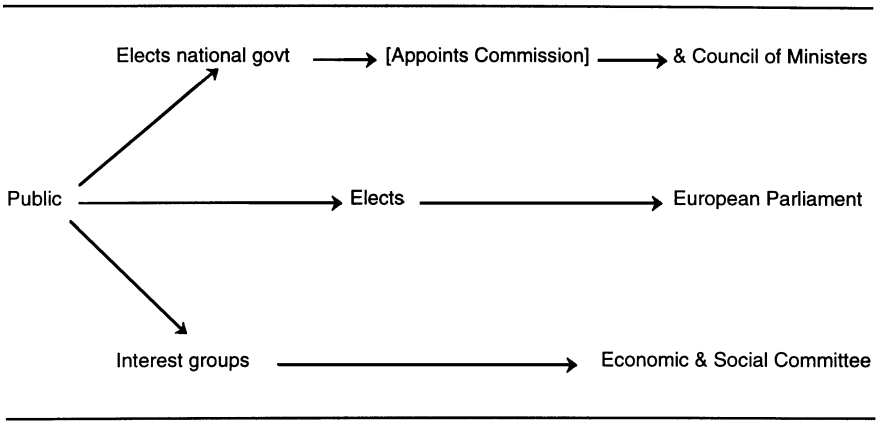

Figure 1. Channels of public accountability within the EU.

closed doors. National governments also choose who is nominated for the European Commission, which exercises executive powers. Those who want to retain the intergovernmental emphasis of EU institutions seek solutions to the democratic deficit in improving national supervision, for instance through strengthening channels of consultation and information between the Commission and national parliaments, or by increasing the transparency of decision making in the Council.

Governments acting in the Council of Ministers remain accountable on a day-to-day basis to their own national parliaments, and at regular intervals, via elections, to their citizens. In this respect the Council of Ministers is similar to other intergovernmental organisations like the United Nations, NATO or UNESCO. We would not expect the public to have a direct say in issues such as whether the UN deploys peacekeeping forces or economic sanctions. Yet if there is a popular backlash, for example if the American public becomes angry about heavy losses for US forces deployed in UN missions, then at the next election they can hold their political leaders responsible, and 'throw the rascals out'. In this regard retrospective evaluations of government performance are critical for accountability.

In the same way, it can be argued, following G.A. Almond (1950) and V.O. Key (1961), that there existed a 'permissive consensus' over Europe so that governments were authorised to negotiate detailed European policies over complex issues like CAP, EMU and border controls within the Council of Ministers. Surveys consistently confirm that the general public is rarely attentive to, or informed about, the arcane details of highly technical and complex issues in foreign policy. But if the public becomes dissatisfied with the outcome of decisions with clear domestic consequences, for example if

they blame the EU for rising levels of unemployment or cuts in the welfare state, *and* they blame their government for EU policies (a critical step in the chain of accountability), citizens always have recourse to the ballot box. In foreign policy, therefore, governments may pay little attention to public opinion towards technical issues like the Common Fisheries Policy, since these attitudes may well be ill-informed and weakly rooted. Nevertheless in their negotiations ministers may pay closer attention to the *anticipated* reaction of their citizens to the outcome of these policies, and how opinion leaders may judge the actions of ministers on the final day of calling. Therefore domestic elections provide an indirect mechanism to link the decisions by the Council of Ministers to the preferences of citizens in member states.

Yet there are a series of problems with this model. The lack of transparency about 'who said what' in negotiations behind the closed doors of the Council of Ministers, and the complexity of relating policy outputs to outcomes, makes it extremely difficult for the public to evaluate the actions of their government within Europe. Moreover the dominance of domestic issues in national elections means that foreign policy is usually of low saliency on the public agenda. Lastly, the major parties rarely offer voters clear alternative policy options concerning the major issues of European governance. Domestic elections are therefore an extremely blunt instrument for citizens to express policy preferences. Nevertheless retrospective judgements about government performance within the European Union may produce a rough justice: if the EU is blamed for economic conditions, excessive bureaucracy or extravagant agricultural spending, all governments may sink or swim together.

Direct channels of representation via the European Parliament

Yet much of the EU is *federal*, meaning that certain powers are transferred to European bodies above national governments (see Pinder 1991; Pryce 1987; Nicholl & Salmon 1990; Kirchner 1992; Keohane & Hoffman 1991). The European Commission, a rule-making institution, is essentially a supranational body, as is the independent Court of Justice; organised interest groups are consulted through the Economic and Social Committee, and the European Parliament is chosen through direct election. Among federal bodies, in the original treaties the European parliament was envisaged as the institution which directly represented the voice of the people, but with relatively weak powers. The original treaty gave the parliament only a consultative role in the adoption of EU legislation and the budget, and limited scrutiny over the Commission. The powers of the parliament were increased in a number of steps (see Duff 1994; Jacobs 1992; Pinder 1991). Yet because states (notably the UK) have been reluctant to allow any further erosion of national sovereign-

ty, the Council of Ministers remains the dominant decision-making forum. While direct elections to the Parliament were envisaged, it was not until 1979 that they took place (see Lodge 1982). Moreover, there is almost unanimous agreement that these elections have been almost wholly lacking in public interest: typically they are described as second-order national elections (Reif & Schmitt 1980).

All the core institutions play a part in EU decision making. While decision making is generally labyrinthine in its complexity, the institutions involved do have different constituencies and, in principle, accountability is possible through the relationship between each institution and its constituency. Articles within this Special Issue focus on central aspects of one such relationship, that between the public and the European Parliament. They all address whether weak linkages between voters and the European Parliament, and flaws in the electoral and parliamentary mechanism of political representation, contribute significantly to the democratic deficit within the European Union.

The breakdown of the 'permissive consensus'?

The problem of the 'democratic deficit' is whether these direct and indirect channels are effective in connecting the preferences of citizens to the outcome of EU decisionmaking. During the early years of the Community the technocratic and diplomatic elite determined the direction of European development, much as they controlled bodies such as NATO, with the tacit approval of a permissive consensus among mass publics. The idea of a 'permissive consensus' implies general support within public opinion, with passive approval which is widespread if shallowly rooted, and which may allow future government action (Key 1961: 32–35). But there was always concern that public opinion about the future of Europe was somewhat fragile. Given limited popular participation in, and identification with, the European Union, decisions might easily be made by elites that would neither reflect, nor be seen to reflect, popular wishes.

The breakdown in this consensus first became evident in the early 1990s. The defeat of the proposal to adopt the Maastricht Treaty in the Danish referendum of 1992, and then the 'petit oui' in France, produced a realization that at least some governments might be significantly out of touch with their electorate (Franklin, van der Eijk & Marsh 1995; Franklin, Marsh & McLaren 1994). The backlash against Maastricht and the ratification crisis were attributed, at least in part, to a lack of public engagement and popular debate about integration (Baun 1996). The period from 1991–92 saw a sharp fall in public support towards the European Union, across the standard indicators in the EuroBarometer (Niedermayer & Sinnott 1995: 58–59). This fall

was not just confined to opinion polls, as it occasionally found expression in violent actions, such as opposition by intense minorities to farming and fisheries policies. Problems of EU legitimacy were further underlined by the June 1994 European elections, with record apathy in voter turnout, and gains for anti-Maastricht protest parties in France, Denmark and Spain (van der Eijk & Franklin 1996).

In 1996 these strains to the system were exacerbated and dramatized by the economic difficulties of achieving the strict convergence criteria for European Monetary Union, resulting in severe cuts in the welfare state in France and Italy. This was compounded by the political problems of persuading the public to abandon the familiar German Mark, French Franc and Pound Sterling in their pockets for the unknown Euro. The problem of the democratic deficit, given these stresses, is not just marginal to the enterprise, but central to the European project. As *The Economist* stressed, the weak foundations of popular accountability may prove the Union's Achilles heel:

> EMU is a far bigger and riskier adventure than any that the Union has previously embarked upon. The risk of doing so with a poor design, amid a constitutional arrangement that still lacks popular support in many member countries, is that if an economic crisis comes, pitting member against member, or member against the Union, it will come too quickly and on too large a scale to be dealt with in the usual way. When EMU fails that test, the entire structure could fold. (*The Economist*, 14 December 1996, p. 18)

The Union is trying to do more and more, but rests upon shaky democratic foundations, and if the elite consensus breaks down this fundamental flaw may undermine the enterprise.

Public confidence in the Union

How serious is the crisis of public confidence in the Union? Is this merely a passing phase, triggered by temporary discontent with particular policies, or a more serious erosion of faith in European integration? To assess this, drawing on the work of Niedermayer and Sinnott (1995), we can distinguish between public support which relates to different objects within a political system, including the community, the constitutional framework, the political leaders, and the public policies:

1. public support for the *political community* concerns how people relate to each other within Europe, and a sense of identification and belonging to Europe;

2. public attitudes towards the *constitutional framework* refers to support for the institutional structures and processes which constitute the political order within the Union;
3. public confidence and trust in the *political leaders*, concerns support for the particular occupants of authoritative roles within the Union such as the Commissioners and the President of the European Parliament; and lastly,
4. public approval of substantive *public policies*, meaning the outputs and outcomes of the political process, concerns specific issues like agriculture, transportation, or the labour market.

Using the Eastonian (1975) conception, we can distinguish between *diffuse* support (a sense of belonging to Europe and confidence in the general constitutional arrangements), which is more fundamental, and *specific* support (concerning trust in particular incumbents and approval of specific policies) which represents normal politics. The dilemma facing the European Union, along with many emerging and consolidating democracies in divided nation-states, is how to build public support simultaneously across both levels. If there is widespread confidence in the underlying constitutional order, and a strong sense of identity with the community, then it becomes easier to resolve particular policy conflicts. But if the legitimacy of the basic political system remains under question, if European leaders are largely invisible to the public, and if there is little 'glue' provided by a sense of European identity to hold disparate countries together, then it becomes more difficult to resolve substantive policy conflicts. Moreover many decisions about specific issues – like European Monetary Union, border controls, or the European Social Chapter – have significant ramifications for national sovereignty, and therefore cannot be decoupled from the constitutional framework. In this context the rules of the game are under dispute, as well as the division of spoils.

Although pressing, the difficult problems of institutional reform have consistently taken a back seat to substantive issues of European integration. Maastricht was essentially about the projects on EMU, common foreign and security policy, and enhanced cooperation in policing and justice (Duff et al. 1994; Baun 1996). Problems of institutional reform are part of the agenda of the Inter-Governmental Conference (IGC), which first met in March 1996. In his opening address to the European Parliament the President, Klaus Hansch, emphasized that the conference would be crucial in injecting more democracy into existing procedures, and in making decisionmaking institutions more effective. The basic decisionmaking structures were adopted by the Treaty of Rome, in 1957, when the Community had six members. By 1996 the EU has fifteen member states and, with more envisaged, the complicated decisionmaking process threatens to become grid-locked.

The official Dublin statement from the IGC in December 1996, stressed that institutional reform remained among the top five priorities for the conference agenda:

> It is important for the Union's institutions to retain the trust, respect and active support of its citizens in each and every Member State. With the prospect of future enlargement, it will be necessary to make institutional changes which marry the desire for more efficient and effective decision-making with the need to ensure that the institutions are visibly democratic and firmly rooted in public acceptance. (*The European Union Today and Tomorrow*, 5 December 1996)

Yet recently politics within the Union has focussed less on institutional reform than on the serious problems of fiscal discipline, and cutbacks in government spending, raised by the attempt by countries to meet the strict convergence criteria required for European Monetary Union in 1999.

Conclusions

If institutional reforms are to prove effective, they must be based on a clear grasp of how the representative mechanisms in the Union function at present. The conclusions from this Special Issue is that there are a variety of channels of representation, and some are more effective than others. Thomassen and Schmitt analysed the responsible party model of representation, to see whether European party groups are developing distinct and coherent policy positions on the major issues facing the Union. Some argue that these groups are weak umbrella organisations, at best (Pedersen 1996). Nevertheless Thomassen and Schmitt provide evidence for the roots of an evolving party system in the European Parliament. Their study analyses how far the political attitudes of candidates and voters are constrained by the European party group with which their national party is associated. By comparing the position of candidates and voters towards the issues of a single European currency, unemployment policy and national borders, as well as left-right self-placement, the study found that the roots of a European party system is evident among candidates, and, to a lesser extent, among the electorate. This embryonic party system is based on the familiar left-right ideological cleavages which serve to shape so much of European domestic politics. Nevertheless there remains a large and significant gap between the attitudes of mass and elite on these issues, with political leaders far more in favour of European integration than the general public. This suggests that the emerging party system in Parliament needs to be strengthened further – organisationally, programmatically, and financially – to increase representation via responsible parties.

Social representation presents other problems for the legitimacy of the European parliament. Norris and Franklin consider how far the parliament 'looks like a mirror of European society'. As in most legislative bodies, there are clear social biases which mean that the European parliament underrepresents women, the younger generation, and working class socio-economic groups. This study considers how far we can explain this pattern in terms of a model of 'supply and demand'. The paper concludes that supply-side factors proved more strongly related to candidates gaining winnable seats – and thus election to the European parliament – than demand-side factors. In other words, the resources and motivation which candidates bring to the recruitment process are the primary factors explaining why some aspirants succeed while others fail. Equally important, the results confirmed that women's representation was strongly influenced by institutional structures, including the electoral system, party system and political culture. More women are elected in protestant countries, countries with strong left-wing parties, and countries with proportional list electoral systems, than elsewhere. This suggests that the European parliament, in common with most legislative bodies, will continue to remain socially unrepresentative for many years, although parties can take effective action in their recruitment processes to make sure that their ticket includes candidates from more diverse social backgrounds.

The roles which MEPs adopt may have important consequences for other types of representation, including functional linkages with interest groups, and service work with individual problems. Richard Katz explored the significance of these role orientations for members of the European Parliament. Looking at the priorities given to different tasks, Katz found that three roles clearly predominated among candidates. Some saw themselves in an intergovernmental view of the Union as representing *national interests*, stressing the importance of loyalties to national parties. The second group saw themselves primarily as constituency *agents*, giving priority to helping people with particular problems and service activity. The last group perceived their roles as '*trustees*', using their own judgement about public policy rather than following national or European party policies. Katz goes on to consider explanations for these differences in role priorities, and to explore their consequences for legislative behaviour. Even if parties remain weak, this suggests that through casework for individuals or local groups MEPs who prioritise this activity may provide an effective conduit between citizens and the complexities of the European decision making process. We need to go further to understand the origins of these role perceptions, and how new MEPs are socialised into prioritising activities during their early careers in the European Parliament.

The paper by Michael Marsh and Bernhard Wessels goes further by analysing candidates and members as territorial representatives, defending national

interests within the European parliament, rather than being bound by party discipline. The study compared the attitudes of candidates, MEPs and publics within each country, to analyse the degree of policy congruence between them. Marsh and Wessels confirm the pattern noted earlier that the elite are far more strongly in favour of European integration than the electorate. But, interestingly, the gap between mass and elite was far greater in some countries than others. The paper concludes that these cross-national differences are due, at least in part, to different electoral and party systems. In particular, more proportional electoral systems and the inclusion of smaller parties produce MEPs who are closer to their general publics on the European issues under comparison. This has important implications, not just for the European parliament, but also for broader debates about the consequences of constitutional designs on political representation.

Lastly, we can turn to behavioural indicators of public attitudes towards the European Parliament by comparing turnout in European elections. Voting participation is commonly regarded as one major indicator of the health of a democracy, reflecting trust and confidence in the political system, although systematic studies suggest a complex relationship between attitudes and behaviour. Blondel, Sinnott and Svensson consider why there is such cross-national variance in the turnout to European elections. On average 58.5 percent of the European electorate voted in 1994, but the proportion was far lower in some countries like the UK, the Netherlands and Portugal. The study concludes that institutional factors played a major role in explaining these differences. The effects of compulsory voting and concomitant national elections are obvious, yet also very important. Other institutional variables, including proportional electoral systems and Sunday voting, also proved significant although the effects of these factors are not wholly straightforward. Lastly Blondel et al. conclude that as well as improvements to the practical arrangements for elections, turnout could be boosted by more effective mobilisation campaigns by parties, and by a more positive image for the European Parliament, the Union, and European integration. Voters were somewhat more motivated to go to the polls if they felt involved with, and knowledgeable about, European affairs. The results suggest that the problems of representation in the European Union could be addressed by a series of alternative steps and that, unless reforms are implemented, the problems of linkage between citizen and the Union, discussed in this issue, can only be expected to become more evident under the stresses of broadening and deepening the European Union.

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